



VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

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Matthew J. Strickler
Secretary of Natural Resources

David K. Paylor
Director
804-698-4000

November 26, 2018

James Crawford
Urban Grid
337 Log Canoe Circle
Stevensville, MD 21666

RE: Gardy's Mill Solar, LLC

Location: Westmoreland County
Registration No.: 2018-S10

Dear Mr. Crawford:

The Department of Environmental Quality (DEQ), after consultation with the Department of Historic Resources (DHR), the Department of Game and Inland Fisheries (DGIF), and the Department of Conservation and Recreation (DCR), has completed its review of the application by Urban Grid for Gardy's Mill Solar, LLC for coverage under the Small Renewable Energy Project (Solar) Permit by Rule, 9VAC15 Chapter 60. The initial application was submitted September 5, 2018; a subsequent submittal was received September 21, 2018. Based upon this review, DEQ determines that the application satisfies the requirements of 9VAC15-60-30 provided that Gardy's Mill Solar, LLC complies with the following:

- All commitments referenced within the Application Documents and Supplemental Information documents including maintenance of the approximately 149 acre vegetative buffer surrounding the 58 acre disturbance zone as identified on page 1 of the Phase 1 Archaeological Survey, tab I;
- Submission as soon as practicable of final post-construction site map according to 9VAC15-60-70 A, and;

- Removal of all trees in accordance with the requirements of DGIF and the United States Fish and Wildlife Service (USFWS) to protect indigenous bat species as set forth in the DGIF guidelines and guidance found at:
 - <https://www.dgif.virginia.gov/environmental-programs/environmental-services-section/>
 - <https://www.dgif.virginia.gov/wildlife/bats/northern-long-eared-bat-application/>
 - <http://www.dgif.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter-habitat-roosts-application/>
 - <http://www.dgif.virginia.gov/wp-content/uploads/VDGIF-Time-of-Year-Restrictions-Table.pdf>

Based upon compliance with the conditions stated above, authority is hereby granted to Urban Grid to construct and operate Gardy's Mill Solar, LLC; a photovoltaic project in Westmoreland County, located at 1072 and 1079 Gardy's Mill Road. The property, also identified on the county zoning map 55, lots 112, 114, and 115, Cople Magisterial District, is north of Gardy's Mill Pond and south of the intersection of Route 203 and Route 202. The project will cover approximately 362.54 acres and have a cumulative total generating capacity of 14MW AC, in accordance with all Application Documents and this letter of approval.

This authorization for construction and operation shall not relieve Urban Grid of the responsibility to comply with all other applicable local, state and federal statutes and regulations, including but not limited to strict adherence to applicable state and local erosion and sediment control/storm water management laws.

In addition, DEQ strongly encourages Urban Grid to incorporate the DCR Recommended Actions listed below:

- Use of appropriate seed mix/plants and seasonal mowing developed in consultation with DCR;
- Development of a monitoring and control plan for invasive species;
- The planting of native pollinator plants in the buffer areas of the planned facility, and;
- Minimizing habitat fragmentation by leaving round versus long, skinny natural cover and forest land fragments; retaining connective corridors that allow significant wildlife migration between fragments and designing

the intervening landscape to benefit habitat; natural cover as opposed to turf grass and mowed lawn.

Urban Grid must notify Mary E. Major, DEQ Office of Renewable Energy Permitting, of the actual date on which construction of the solar project commences and the date of operation as soon as practicable. A notification to DEQ must be made 30 days prior to any transfer of ownership or operation according to the provisions of 9VAC15-60-100 A.

Please note that if Gardy's Mill Solar, LLC is later found by the DEQ not to qualify for coverage under the terms and conditions of the Solar Permit By Rule, then Urban Grid could be subject to action under the enforcement provisions of the Solar Permit By Rule (9VAC15-60-140) for operation without a permit.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date of the service of this decision to initiate an appeal of this decision, by filing notice with:

David K. Paylor, Director
Virginia Department of Environmental Quality
ATTN: Office of Renewable Energy Permitting
Post Office Box 1105
Richmond, Virginia 23218

In the event this decision is served to you by mail, three days will be added to that period. Please refer to Part Two of the Rules of the Supreme Court of Virginia, which describes the required content of the Notice of Appeal, including specification of the Circuit Court to which the appeal is taken, and additional requirements governing appeals from decisions of administrative agencies.

If you have any questions concerning this authorization under the Small Renewable Energy Project Permit By Rule, please contact Mary E. Major at 804-698-4423.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael G. Dowd", with a stylized flourish at the end.

Michael G. Dowd
Director, Air and Renewable Energy Division